

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
Case No. 7:14-CV-00157-D**

CTB, INC.,)
)
Plaintiff,)
)
v.)
)
HOG SLAT, INC.,)
)
Defendant.)

JOINT NOTICE

NOW COME Plaintiff CTB, Inc. (“CTB”) and Defendant Hog Slat, Inc. (“Hog Slat”) (together, the “Parties”), and for their Joint Notice, state as follows:

1. On July 31, 2017, the Parties filed a Joint Motion for a Stay (D.E. 153) of any ruling on the pending Motions for Summary Judgment (D.E. 115, 118), Motion *In Limine* to exclude Plaintiff’s expert Rhonda Harper (D.E. 142), and Motion for Hearing on the Motion *In Limine* (D.E. 148) pending the outcome of certain engineering tests being conducted by Hog Slat that could lead to settlement.

2. The Court granted the Joint Motion (D.E. 154), and denied without prejudice the pending motions, indicating that they could be reactivated if settlement is not reached. The Court further ordered the Parties to submit a Joint Notice to the Court no later than November 1, 2017 advising of the status of the testing and settlement efforts.

3. Since filing the Joint Motion, the Parties have continued to engage in settlement talks. Further, Hog Slat has continued its engineering tests, conducting multiple rounds of tests to evaluate the viability and market acceptance of certain alternatives.

4. The results to date have been inconclusive and additional testing will require at least another 20 or more weeks.

Should the Court desire additional information, the parties will appear in person or telephonically at the Court's request.

Respectfully submitted,

WILLIAMS MULLEN

/s/ Robert C. Van Arnam

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Local Civil Rule 83.1 Counsel

Attorneys for Plaintiff, CTB, Inc.

Dated: November 1, 2017

CERTIFICATE OF SERVICE

I certify that, on November 1, 2017, I electronically filed the foregoing JOINT NOTICE with the Clerk of the Court using the CM/ECF system that will automatically serve all counsel of record including the following:

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